Appendix J:
Real Estate Plan

UPPER YORK CREEK
Ecosystem Restoration Project
Napa County, California

Detailed Project Report

1. General Project Description

The purpose of the proposed project is to remove or modify Upper York Creek Dam and appurtenances, remove accumulated sediment, and restore the local ecosystem structure. Removing or modifying the dam would improve fish passage for the federally listed steelhead, would reduce the potential for future downstream sediment releases and fish kills, and would allow for the restoration of approximately two acres of degraded riparian and riverine habitat surrounding Upper York Creek Dam.

Study Authority – This report is being prepared as an interim/final response to the study authorization contained in Section 206 of the Water Resources Development Act (WRDA) of 1996 (Public Law 104-303), as amended, which reads as follows:

"(a) The Secretary may carry out an aquatic ecosystem restoration and protection project if the Secretary determines that the project – (1) will improve the quality of the environment and is in the public interest; and (2) is cost-effective…"

The existing studies are described in the main report. There are no previous real estate reports.

2. Description of Project Area

The project area is within the York Creek drainage basin. The York Creek watershed is about five square miles and originates from the California coast range on the western side of the Napa Valley. It is located northwest of St. Helena, a city of 6,000 residents, in Napa County approximately 60 miles north of San Francisco. St. Helena is home to a campus of the Culinary Institute of America and several well-known wineries and country inns. Access to the project area is by Spring Mountain Road, which is a paved road from St. Helena to the Sonoma County line and the rural areas of eastern Sonoma County. York Creek is a tributary to the Napa River, which flows to the Pacific Ocean via Pablo Bay. The creek flows in an easterly direction through a narrow canyon before joining the Napa River northeast of the city of St. Helena in Napa County at an elevation of 225 feet. The restoration site is located at an elevation of approximately 600 feet. There are a number of boutique wineries and custom rural residences located on the hillside above this watershed.

The project will require portions of three parcels located at two sites northwest of the urbanized portion of St. Helena. Both sites are accessed from Spring Mountain Road. The project will remove the Upper York Creek Dam and its appurtenance, the accumulated sediment upstream of the dam; and will restore approximately two acres of degrade riparian and riverine habitat where the dam and its surrounds are located, within the entire 3.04-acre site, to a more natural condition. The site that will be restored is a wooded ravine located approximately two miles from St. Helena. The site for the staging area and the deposit of sediment is located one mile south of the dam above the shoreline

of the larger year-round St. Helena Lower Reservoir. This reservoir has a capacity of 200 acre-feet. This area has a more moderate slope and less vegetation than the restoration site.

3. National Ecosystem Restoration Plan (NER)

This Real Estate Plan is in support of an environmental restoration project and, therefore, does not consider a National Economic Development Plan. ER-1105-2-100 states "Ecosystem restoration is one of the primary missions of the Corps of Engineers Civil Works program. The Corps' objective in ecosystem restoration planning is to contribute to national ecosystem restoration (NER). … Single purpose ecosystem restoration plans shall be formulated and evaluated in terms of their net contributions to increases in ecosystem value (NER) outputs, expressed in non-monetary units…"

4. NER Plan Description

There were four final alternatives considered. They are: No-Action; Alternative 1: Complete Removal; Alternative 2A: Large Notch; Alternative 2B: Small Notch; and Alternative 3: Fish Ladder.

Alternative 2B is the recommended NER Plan. Alternative 2B includes the following: (1) removal of approximately 72 percent of the earthen dam structure; (2) backfilling the spillway with dam material for stabilization; (3) removal of approximately 95 percent of the accumulated sediment from behind the dam; (4) construction and restoration of York Creek from just below the dam to just above the sediment basin with a slope of approximately 5 percent; (5) restoration of roughly two acres of aquatic and riparian with native vegetation and; (6) use of native plants for erosion control and site stabilization.

5. Total Lands Required

The total lands required for the project are: 3.04 acres in fee title; 1.55 acres for a road easement; and 3.44 acres for a temporary work area easement.

Dam/Spillway-Restoration Site

The property for the dam/spillway-restoration site is a single parcel of 27.35 acres. The dam and spillway are located at the easterly end of this long and narrow parcel. This land lies within the creek channel in the immediate vicinity of the dam and spillway.

Lower Reservoir/Project Staging Area Site

Portions of two parcels that adjoin the St. Helena Lower Reservoir will be used for construction staging and long-term storage for sediment that is removed from the restoration area and for road access from Spring Mountain Road to the storage area. A 200,000-gallon water storage tank is located on the southwestern portion of the property. The balance of these lands is undeveloped as they serve as a buffer area for the reservoir.

Feature	Estate	Acreage	Owner	Land Value
Dam Removal	Fee	3.04 acres	City of St. Helena	$54,720
Temporary Road Access	Temporary Road Access Easement	1.55 acres	City of St. Helena	$10,850
Construction Staging Area	Temporary Work Area Easement	3.44 acres	City of St. Helena	$57,792

Description of Features:

Dam Removal – The existing Upper York Creek Dam that is to be removed as part of this project is a 50-foot high and 140-foot-long earthen dam (16,284 cubic yards of material). Along with the removal of the dam the right wall of the 225-foot-long concrete spillway, the six-foot-diameter steel riser pipe, and trash rack will be removed. The purpose of this dam and spillway removal is to restore fish passage through the dam site. Further this project will provide permanent erosion control vegetation in habitat areas that would consist of native vegetation. Erosion control for disturbance from construction activities outside habitat areas would consist of grasses best suited for the areas needing protection. The fish ladder would allow for fish passage, and this would provide for upstream steelhead migration. There would also be the creation of floodplain terraces to provide for more potential riparian habitat. There will also be revegetation. All this work comprises the ecosystem project which requires a fee estate.

Sediments Removal and disposal/reuse – Accumulated sediment would need to be removed to create a restored creek through the project site. The material would be sorted, and materials necessary for restoration would be stockpiled. The remaining material would be taken to an offsite area at the Lower Reservoir. A temporary work area easement for 4 years is for the disposal of the material during the construction period.

6. Sponsor Provided Lands

All lands required for the project are sponsor-owned.

7. Estates

The estates required for the project are fee, temporary road access easement, and temporary work area easement. There are no non-standard estates requested for this project. The proposed Temporary Work Area Easement will exceed the period required for deconstruction of the dam and for completion of the restoration of the site. The easement will be for the construction period which is four years. Restoration activities during this period will prohibit any use by the property owner on that portion of the owner's lands.

8. Baseline Cost Estimate

A gross appraisal was prepared for this property at the October 2005 price levels. The land cost estimates are based on this report. All lands, regardless of ownership, have been estimated at fair market value. There is no difference between State and Federal rules in the valuation of the lands to be acquired.

Project	Non-Federal	Federal	LERRDS	Total
Upper York Creek	*N/A	$93,500	$167,000	$260,500

*Non-Federal Sponsor will have owned the lands before five years prior to the expected date of the Project Cooperation Agreement thereby prohibiting them from receiving credit for administrative costs associated with their requirement to provide the lands.

9. Utility/Facility Relocations

There are no utility/facility relocations affected by this project and therefore none are described and included in this report.

10. Public Law 91-646, The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by Public Law 100-17

There are no Public Law 91-646 Relocations involved in this project.

11. Taking Analysis

A Taking Analysis is presently being considered and will be prepared for the final report. However, considering the current and anticipated flooding (frequency, depth, and duration) there are no anticipated "takings" being considered at this time.

12. Non-Federal Sponsor's Ability to Acquire

All required lands are owned by the Non-Federal Sponsor; therefore their ability to acquire lands is not pertinent.

13. Attitude of Landowners

Since there are no private landowners, there is no need to discuss attitude of landowners.

14. Mitigation

This project is an ecosystem restoration project and there are no features of the project that will require mitigation.

15. Hazardous, Toxic, and Radiological Waste (HTRW)

No areas requiring remediation before construction were identified. A description of the HTRW study is included in the main report.

16. Minerals

The sponsor will contact Bureau of Land Management for confirmation that there are no minerals. There are no valuable minerals impacted by this project. There was, therefore, no enhancement for mineral deposits included in the baseline cost estimate.

17. Acquisition Schedule

All project lands are owned by the Non-Federal Sponsor, therefore there is no requirement for an acquisition schedule.